



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Garry Bredefeld, Acting Council President
Chris Mathys,
Henry Perea

Sal Quintero
Daniel Ronquillo
Ken Steitz

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, FEBRUARY 15, 2000

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M.

CLOSED SESSION OF THE REDEVELOPMENT AGENCY

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Government Code Section 54957 (Chair Ronquillo)
Title: Executive Director of the Redevelopment Agency
Action Taken:

8:45 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of February 1, 2000
Action Taken:

AGENCY GENERAL CONSENT CALENDAR

- A. RESOLUTION** - Designating positions which shall be subject to the Conflict of Interest Code and defining categories of disclosure for such positions (*Council and Agency action*)

Action Taken:

JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED

AGENCY GENERAL ADMINISTRATION

B. Water Tower Funding: - Chair Ronquillo

1. Direct Executive Director of the Redevelopment Agency to repay the City of Fresno \$20,000 of debt

Action Taken:

2. Request City Manager or designee to prepare resolutions to accept \$20,000 in RDA debt repayment and appropriate to the Water Tower project and further request the City Manager to find an additional \$20,000 in City funds to reallocate to the Water Tower Project. All appropriation resolutions for the \$40,000 to the Water Tower Project are to be on the Council meeting of February 29, 2000

Action Taken:

ADJOURN AGENCY

9:00 A.M. COUNCIL ROLL CALL

Invocation by Father Phil Van Linder of the St. Alphonsus Catholic Church

Pledge of Allegiance to the Flag

Proclamation of "SYLVIA MEHAS DAY" - Council President Boyajian

Proclamation of "RACE TO ERASE RACISM WEEK" - Mayor Patterson and All Councilmembers

Presentation by 10th Grade Students from Edison High School of Booklet of Pictures of District 3 Called "Community Treasures" - Councilmember Ronquillo

Resolutions of Commendation to Pacific Gas & Electric's Fresno Call Center staff - Councilmember Mathys

Presentation of Certificates of Recognition to Clovis West Babe Ruth - Acting President Bredefeld

Presentation of Award for Excellence Recipients of the Workforce Development Board- Councilmember Quintero

Presentation of Certificate by the Police Department to Recipients of the Safe Neighborhood Apartment Partnership

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of February 8, 2000

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

10:00 A.M. HEARING to consider Plan Amendment Application No. 99-28, Rezoning Application R-99-42 and environmental findings, filed by Westcal, Inc., for 13 acres of property located on the north side of E. Nees Avenue between N. First Street and N. Millbrook Avenue

Action Taken:

1. Consider Environmental Assessment/Negative Declaration No. A-99-28, R-99-42

Action Taken:

2. **RESOLUTION** - Amending the Woodward Park Community Plan (P.A. No. 99-28)

Action Taken:

3. **BILL** - Amending the Official Zone Map to rezone from the AE-5/UGM, R-1-C/UGM/cz, R-2/UGM/cz, and C-R/UGM/cz zone districts to the R-1/UGM/zone district

Action Taken:

10:30 A.M. Appearance by David Wells requesting the City Council take formal action to purchase 2-plus electric buses locally instead of from outside City limit vendors via staff cooperation with Electric Vehicles of America to write bid specifications, and co-seek grant monies plus matching City funds of \$1.1 million that has already been granted to the City from Federal Government for such purpose of purchasing two (2) hybrid electric buses

Action Taken:

10:35 A.M. Appearance by Barbara Hunt regarding alleged police brutality and unlawful seizure of property

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

11:00 A.M. **CONTINUED HEARING** to consider a resolution of public use and necessity for acquisition of an easement for construction of N. San Pablo and acquisition of a remnant parcel in conjunction with the development of UGM Agreements Nos. S-98-343 and S-99-160

Action Taken:

- a. * **RESOLUTION** - That the public interest and necessity require the construction of a portion of N. San Pablo, north of W. Alluvial and authority to acquire a remnant parcel created by the easement, as a development requirement of UGM Agreements Nos. S-98-343 and S-99-160

Action Taken:

- b. * **RESOLUTION** - 72nd amendment to AAR No. 99-181 appropriating \$22,000 for the acquisition of right-of-way for N. San Pablo north of W. Alluvial Avenue (***Requires 5 affirmative votes***)

Action Taken:

11:30 A.M. Appearance by Dustin Hamel regarding infill project at Maple and Powers - Acting President Bredefeld

Action Taken:

2:00 P.M.#1 **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

2:00 P.M.#2 **CLOSED SESSION**

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** City of Fresno v. Theodore R. McCaleb, et al.
2. **Case Name:** Roberts Managing Contractors, Inc. v. City of Fresno
3. **Case Name:** Civic Center Square, Inc. v. City of Fresno; Fresno Superior Court No. 612624-7
4. **Case Name:** City of Fresno v. Civic Center Square, Inc., et al.; Fresno Superior Court No. 612629-6
5. **Case Name:** City of Fresno v. Gordon Webster, et al.; Fresno Superior Court No. 612630-4
6. **Case Name:** City of Fresno Civic Center Square, Inc.; Fresno Superior Court No. 612631-2

Action Taken:

2:00 P.M.#3 **JOINT CLOSED SESSION WITH THE REDEVELOPMENT AGENCY**

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Nottoli CMC v. City of Fresno, City Council; Redevelopment Agency of the City of Fresno, Community Hospitals of Central California, RPI
2. **Case Name:** Redevelopment Agency of the City of Fresno v. Morris, Graves, Farsakh, et al.

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

Action Taken:

1A.

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. **RESOLUTION** - Of intention to annex Final Map of Parcel Map No. 99-05 as Annexation No. 18 to the City of Fresno Community Facilities District No. 2 and to authorize the levy of special taxes
Action Taken:
2. Approve substitution of subcontractors for Pilibos Soccer Park
Action Taken:
3. Approve Lease Modification/Supplement No. 002 to Lease No. DTFA08-87-L-11804 between the City of Fresno and the Federal Aviation Administration (FAA)
Action Taken:
4. Award a contract for new fueling island and facility at Fresno Wastewater Treatment Plant
Action Taken:
5. Award a contract for Sugar Pine trail fence from Audobon to Shepherd
Action Taken:
6. **RESOLUTION** - Authorizing application to the California Integrated Waste Management Board for a Local Government Waste Tire Amnesty Day Grant
Action Taken:
7. Approve Memorandum of Understanding (MOU) between the City of Fresno and the City of Fresno Professional Employees Association (CFPEA/Unit 13), covering the period July 1, 1998 through June 30, 2001
 - a. Direct modifications to the Fresno Municipal Code to exclude from pension calculations annual leave accruals, and amend the salary resolution to extend the annual leave plan to non-represented employees
Action Taken:

1B.

CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS

2.

PLANNING AND ZONING ADMINISTRATION

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

3. **GENERAL ADMINISTRATION**

- A. * **BILL NO. B-15** - (*With modifications*) (*INTRO. 2/8/00*) - Adding a new Article 19 to Chapter 9 of the Fresno Municipal Code establishing a Fresno Clean Air Advisory Committee. The Fresno Clean Air Advisory Committee will be responsible for developing and recommending strategies that will be used to improve air quality in the City of Fresno and the San Joaquin Valley
Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. * **RESOLUTION** - 76th Amendment to AAR No. 99-181 appropriating \$200 of District 2's General Fund Infrastructure budget to fund the Central Youth Bambino League- (*Requires 5 affirmative votes*) - Councilmember Mathys
Action Taken:
- B. * **RESOLUTION** - 77th Amendment to AAR No. 99-181 appropriating \$1,000 of District 5's General Fund Infrastructure budget to fund \$700 for Fresno/Calwa Community Outreach and \$300 for Roosevelt Golf Tournament Program - (*Requires 5 affirmative votes*) - Councilmember Quintero
Action Taken:
- C. Direct City Attorney to prepare agreement between the City and resident(s) to protect City's interests regarding installation of back yard gates in City's fence along Audubon to Shepherd portion of Sugar Pine Trail - Acting President Bredefeld
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Feb. 22 - NO MEETING DUE TO MONDAY HOLIDAY

Feb. 29 8:30 A.M. JOINT RDA HEARING re: proposed DDA between the RDA, City of Fresno and Dirk Poeschel

Feb. 29 - 10:00 A.M.#1 HEARING re: Rezoning Appl. No. 99-43, located on the east side of Hayston betw. Dakota and Pontiac, filed by California Feline Foundation

Feb. 29 - 10:00 A.M.#2 HEARING to name the Maple/Shepherd Avenues Park the “Selma Layne Park”
- Acting President Bredefeld

Feb. 29 - 11:00 A.M. HEARING re: P.A. No. A-99-22 - Plan Amendment to the 1984 General Plan Neighborhood Streets Section

Feb. 29 - 11:30 A.M. HEARING re: UGM Boundary amendment No. 14 (Palm Bluffs Corporate Center) - Tract No. 4637

Feb. 29 - 11:45 A.M. HEARING re: amendment to Development Agreement between City of Fresno and Calcot LTD (Palm Bluffs Corporate Center) (*Continued to 3/14/2000 @ 10:00 a.m.*)

Feb. 29 - 5:30 P.M. HEARING re: P.A. No. A-99-03, Rezone Appl. R-99-06, filed by Roger E. Petersen

Mar. 7 - NO MEETING - ELECTION DAY

Mar. 14 - 10:00 A.M. CONTINUED HEARING re: amendment to Development Agreement between City of Fresno and Calcot LTD (Palm Bluffs Corporate Center)

Mar. 21 - 10:00 A.M. HEARING re: weed abatement

Mar. 21 - 11:00 A.M. HEARING re: Annexation No. 18, Community Facilities District No. 2

****ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***